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9 Attorneys for Chapter 11 Debtor and
10 Debtor-in-Possession

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UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
SANTA ANA DIVISION

In re:

THE SOURCE HOTEL, LLC, a
California limited liability company,

Debtor and Debtor in
Possession.

Case No.: 8:21-bk-10525-ES

Chapter 11

**DECLARATION OF JULIET Y. OH
REGARDING RECEIPT OF DEPOSIT
FROM MCKINNEY CAPITAL**

[Relates to Docket No. 227]

Continued Auction/Sale Hearing:

Date: October 1, 2021
Time: 10:00 a.m.
Place: ZoomGov

1 I, Juliet Y. Oh, Esq., hereby declare as follows:

2 1. I am a partner of the law firm of Levene, Neale, Bender, Yoo & Brill L.L.P.
3 (“LNBYB”), which is bankruptcy counsel of record to The Source Hotel, LLC, the debtor and
4 debtor in possession herein (the “Debtor”). I am an attorney licensed to practice law in the State
5 of California, in the United States District Court and the Bankruptcy Courts for the Southern,
6 Central, Northern and Eastern Districts of California, and in the United States Court of Appeals
7 for the Ninth Circuit.

8 2. I have personal knowledge of the facts set forth below and, if called to testify,
9 would and could competently testify thereto.

10 3. At the initial hearing on the *Debtor’s Motion For Entry Of Order: (1) Authorizing*
11 *Sale of Substantially All Of The Debtor’s Assets; (2) Authorizing The Debtor’s Assumption And*
12 *Assignment Of Ground Lease And Determining Cure Amount; (3) Waiving The 14-Day Stay*
13 *Periods Set Forth In Bankruptcy Rules 6004(h) And 6006(d); And (4) Granting Related Relief*
14 [Doc. No. 227] (the “Sale Motion”) held on September 30, 2021 at 2:00 p.m. (Pacific time), the
15 Court continued the hearing on the Sale Motion to October 1, 2021 at 10:00 a.m. (Pacific time)
16 to provide additional time to McKinney Capital, a bidder for the Debtor’s assets, to deliver the
17 remaining balance of its required deposit, in the sum of \$580,000 (the “Remaining Deposit”).

18 4. The Court ordered that LNBYB provide written evidence of receipt of the
19 Remaining Deposit (if in fact received) prior to the date and time of the continued hearing on the
20 Sale Motion.

21 5. On Friday, October 1, 2021, at 8:31 a.m. (Pacific time), McKinney Capital
22 provided a copy of a wire confirmation for the delivery of the Remaining Deposit to our firm’s
23 client trust account at First Republic Bank, a true and correct copy of which is attached as
24 **Exhibit 1** hereto.

25 6. The wire confirmation from McKinney Capital reflects that the wire transfer for
26 the Remaining Deposit was initiated on Thursday, September 30, 2021 at 5:22 p.m. Centro de
27 Mexico (which I understand is 3:22 pm Pacific time), and lists the correct beneficiary name (*i.e.*,
28

1 The Source Hotel, LLC, LNBYB), beneficiary bank name (*i.e.*, First Republic Bank), and
2 beneficiary account number (*i.e.*, 80010054155).

3 7. Immediately after receiving the wire confirmation from McKinney Capital, at
4 8:41 a.m. (Pacific time), LNBYB sent an email to its banking team at First Republic Bank to
5 relay the wire confirmation and to request that First Republic Bank confirm whether the wire
6 transfer from McKinney Capital for the Remaining Deposit had, in fact, been received.

7 8. Unfortunately, due to delays which I understand are customarily associated with
8 international wire transfers, I am advised that it is unlikely that First Republic Bank will be able
9 to track and/or confirm receipt of the wire transfer from McKinney today. As of 9:45 a.m., First
10 Republic Bank cannot confirm receipt of the wire transfer from McKinney Capital for the
11 Remaining Deposit.

12
13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing is true and correct.

15 Executed on this 1st day of October, 2021, at Los Angeles, California.

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19 _____
20 JULIET Y. OH, ESQ., Declarant
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EXHIBIT 1



Jueves 30 de Septiembre del 2021, 17:22 PM Centro de México

Órdenes de Pago Internacional

Cliente	83901224
Razón Social	COPPEL MEDIOS ELECTRONICOS Y DE COMUNICACIO

Su transferencia ha sido **Aplicada** con número de autorización **150127**.

Autorizadores	Usuario 01	LUIS CARLOS LEAL GARCIA
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Cuentas	Cuenta retiro	
	COPPEL MEDIOS C# - 516/6329724	
	Transferencia Internacional	
	Nombre/Beneficiario	COPPEL MEDIOS

Datos de la transferencia	Importe de compra	\$ 580,000.00 USD
	Tipo de cambio	\$ 20.7536
	Importe	\$ 12,036,740 MXN
	Banco beneficiario	FIRST REPUBLIC BANK
	SWIFT	FRBBUS6S
	Cuenta beneficiario	80010054155
	Ordenante	COPPEL MEDIOS
	Dirección del ordenante	BLCD ADOLFO RUIZ CORTINEZ TORRE 3 12A114
	Ciudad y país	ALVARO OBREGON, MEXICO
	Beneficiario	THE SOURCE HOTEL LLC, L N B Y & B
	Dirección del beneficiario	111 Pine Street,
	Ciudad y país	SAN FRANCISCO, CA 94111 ESTADOS UNIDOS
	Descripción: ref DEPOSITO OFERTA ANAKAR/MCKINNEY	
	PARA EL SOURCE HOTEL OC Instrucciones: ref	
PRESTAMO ANAKAR GLOBAL BUSINESS SERVICES INC		

"Este documento es sólo de carácter informativo, no tiene validez oficial como comprobante legal o fiscal"

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is 10250 Constellation Boulevard, Suite 1700, Los Angeles, CA 90067

A true and correct copy of the foregoing **DECLARATION OF JULIET Y. OH REGARDING RECEIPT OF DEPOSIT FROM MCKINNEY CAPITAL** will be served or was served (a) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (b) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **October 1, 2021**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- Ron Bender rb@lnbyb.com
- Sean R Bozarth seanb@novianlaw.com
- Christopher G. Cardinale ccardinale@agclawfirm.com, mgonzalez@agclawfirm.com
- Michael G Fletcher mfletcher@frandzel.com, sking@frandzel.com
- Amir Gamliel amir-gamliel-9554@ecf.pacerpro.com, cmallahi@perkinscoie.com; DocketLA@perkinscoie.com
- Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com
- Nancy S Goldenberg nancy.goldenberg@usdoj.gov
- Peter F Jazayeri peter@jaz-law.com
- Won Lee dlee@metallawgroup.com
- Daniel A Lev dlev@sulmeyerlaw.com, ccaldwell@sulmeyerlaw.com; dlev@ecf.inforuptcy.com
- Robert K Lu ewu@reidwise.com
- Aaron J Malo amalo@sheppardmullin.com, clopez@sheppardmullin.com; abilly@sheppardmullin.com
- Kyle J Mathews kmathews@sheppardmullin.com
- Juliet Y Oh jyo@lnbyb.com, jyo@lnbrb.com
- Ho-El Park hpark@hparklaw.com
- Ronald N Richards ron@ronaldrichards.com, morani@ronaldrichards.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL: On **October 1, 2021**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

None.

☐ Service List continued on attached page

1 **3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR**
2 **EMAIL** (state method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR,
3 on **October 1, 2021**, I served the following persons and/or entities by personal delivery, overnight mail
4 service, or (for those who consented in writing to such service method), by facsimile transmission and/or
5 email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight
6 mail to, the judge will be completed no later than 24 hours after the document is filed.

7 *None.*

8 I declare under penalty of perjury under the laws of the United States of America that the foregoing is
9 true and correct.

10 October 1, 2021

11 Stephanie Reichert

12 /s/ Stephanie Reichert

13 *Date*

14 *Type Name*

15 *Signature*